

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

DANIEL BRYAN KELLEY, )  
                        )  
Plaintiff,            )  
                        ) CIVIL ACTION NO.  
v.                    ) 2:05cv1150-MHT  
                        )  
RICKY OWENS, etc., et al., )  
                        )  
Defendants.           )

ORDER

Upon consideration of the opinion of the United States Court of Appeals for the Eleventh Circuit entered on August 4, 2008, wherein the final judgment of this court made and entered herein on February 1, 2008 (Doc. no. 138), was in all respects affirmed; and the mandate of the United States Court of Appeals for the Eleventh Circuit issued on September 3, 2008, and received in the office of the clerk of this court on September 3, 2008 (Doc. no. 155), it is the ORDER, JUDGMENT, and DECREE of the court that the final judgment of this court made and entered on

February 1, 2008 (Doc. no. 138), is continued in full force and effect.

It is further ORDERED as follows:

- (1) The stay (Doc. No. 149) is dissolved.
- (2) The clerk of the court is to reopen this case.
- (3) The jury selection and trial of this cause are set December 1, 2008, at 10:00 a.m. at the Frank M. Johnson, Jr. United States Courthouse Complex, Courtroom 2FMJ, One Church Street, Montgomery, Alabama, with all deadlines in the uniform scheduling order (Doc. No. 83) expressly tied to this date adjusted accordingly.

DONE, this the 9th day of September, 2008.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE